



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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January 19, 2011

EPA Region 5 Records Ctr.



388684

Mr. Steve Faryan  
Federal On-Scene Coordinator  
Emergency Response Branch #2  
Response Section #3  
U.S. Environmental Protection Agency  
Region V  
77 West Jackson Boulevard, SE-5J  
Chicago, IL 60604

Re: Markham Dump  
LPC# 0311770002  
SF/Tech

Dear Mr. Faryan:

Per your request, Illinois EPA is identifying Applicable, Relevant, and Appropriate Requirements (ARAR's) for the Markham Dump Site in Markham, Illinois. Throughout this time-critical removal activity, please forward to me the Action Memorandum, Removal Action Report's, periodic Pollution Reports (POLREPS), and other relevant site information in order to keep the Illinois EPA Bureau of Land files current and accurate.

To assist U.S. EPA, the Illinois EPA has identified the following State ARAR's for the immediate removal of containers. Containers include drums, tanks, and roll-off-boxes. For the ARAR's listed in the attachment to this letter, USEPA is considered to be the generator of the waste.

In Illinois, our Resource Conservation and Recovery Act (RCRA) regulations are essentially identical to the Federal RCRA regulations. The essential difference between the Federal and State ARAR's for solid wastes is the classification of Special Waste in Illinois.

The continued cooperation between Illinois EPA and U.S. EPA will be appreciated throughout this process. Please call me at (217) 524 - 1663 if you should have any further questions.

Sincerely,

Bruce Everetts  
Office of Site Evaluation  
Division of Remediation Management  
Bureau of Land

attachments:

cc: Division File

Rockford • 4302 N. Main St., Rockford, IL 61103 • (815) 987-7760

Elgin • 595 S. State, Elgin, IL 60123 • (847) 608-3131

Bureau of Land - Peoria • 7620 N. University St., Peoria, IL 61614 • (309) 693-5462

Collinsville • 2009 Mall Street, Collinsville, IL 62234 • (618) 346-5120

Des Plaines • 9511 W. Harrison St., Des Plaines, IL 60016 • (847) 294-4000

Peoria • 5415 N. University St., Peoria, IL 61614 • (309) 693-5463

Champaign • 2125 S. First St., Champaign, IL 61820 • (217) 278-5800

Marion • 2309 W. Main St., Suite 116, Marion, IL 62959 • (618) 993-7200

**STATE of ILLINOIS ARARs  
for  
IMMEDIATE REMOVALS of CONTAINERS**

<b>Regulatory Citation</b>	<b>Requirement</b>
	<b>Determine the Regulatory Classification of the material</b>
35 IAC 722.111 (40 CFR 262.11)	The generator of a solid waste must determine whether it is a hazardous waste.
35 IAC 808.110	The waste will probably be classified as a Special Waste. Special wastes are hazardous wastes, industrial process wastes, and pollution control wastes. Pollution control wastes include contaminated media.
	<b>Obtain IEPA &amp; USEPA Identification Numbers</b>
35 IAC 722.112 (40 CFR 262.12)	A generator must obtain a USEPA identification number prior to transporting hazardous waste off-site.
35 IAC 809.501	A generator must obtain an IEPA identification number in order to properly complete an Illinois manifest.
	<b>Transportation of Wastes Off-Site</b>
35 IAC 723.120 (40 CFR 263.20)	Hazardous waste must be manifested to a facility that is permitted to accept it.
35 IAC 809.501	Special waste must be manifested to a facility that is permitted to accept it.
35 IAC 809.201	All vehicles that haul special waste on public highways in Illinois must have a Special Waste Hauling Permit.
	<b>On-Site Management of Wastes</b>
35 IAC 722.134 (40 CFR 262.34)	Containers of hazardous waste can be stored on-site for less than 90 days without obtaining a permit or interim status provided that they are managed in accordance with the requirements at 35 IAC Part 725, Subpart I: <ul style="list-style-type: none"> <li>- the containers must be in good condition (non-leaking),</li> <li>- the containers must be compatible with the wastes placed in them,</li> <li>- the containers must always be closed except when it is necessary to add or remove waste,</li> <li>- the containers must not be opened, or managed in a way that may</li> </ul>

**STATE of ILLINOIS ARARs  
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<b>Regulatory Citation</b>	<b>Requirement</b>
	<p>cause them to rupture or leak,</p> <ul style="list-style-type: none"> <li>- the containers must be inspected weekly,</li> <li>- incompatible wastes must not be placed in the same container,</li> <li>- a container of waste that is incompatible with other wastes must be separated from the other wastes,</li> <li>- containers of ignitable or reactive waste must be located at least 50 feet from the property line,</li> </ul>
35 IAC 722.134 (40 CFR 262.34)	The 90 day exclusion only applies to wastes that are managed in containers, tanks, drip pads or containment buildings. Hazardous waste that is placed on the ground is subject to all of the regulations for a waste pile as soon as it is placed on the ground.